

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

**Case. No.: 98-CR-176-08(JAF)
98-CR-009-15(CCC)**

**DANNY GUZMAN-CORREA
A/K/A "DANNY PINCHO"**

MOTION REQUESTING AN ARREST WARRANT

TO THE HONORABLE JOSE A. FUSTE, CHIEF
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, VICTOR M. CANINO U.S. PROBATION OFFICER of this Honorable Court, requesting a modification of conditions of Danny Guzmán, who was sentenced on January 7, 2000, to ninety-six (96) months of imprisonment after pleading guilty to violating Title 21 U.S.C. § 841(a)(1) (2 counts). A four (4) year supervised release term was also imposed with the following special conditions: Mr. Guzmán-Correa was ordered to submit to urinalyses and engage in treatment if necessary; and provide financial information upon request. He was further ordered to pay a \$200 special monetary assessment.

On December 1, 2005, this writer filed a motion requesting a modification of condition to include a search and seizure condition and the Court granted same on December 2, 2005.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

VIOLATION OF CONDITION #8: *The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.*

On January 25, 2007, at approximately 9:15 p.m., Heriberto Santiago Rosado, a Puerto Rico Police Officer badge # 22219, was conducting a preventative patrol in the Dr. Pila Housing Project. While passing La Placita Romana, a known drug distribution point within the housing project, he noticed a dark colored SUV with tinted windows parked in front of said drug distribution point. Upon approaching the vehicle to investigate, the individual driving the car drove away at which time officer Santiago conducted a traffic stop. During the traffic stop, Officer Santiago determined that Mr. Danny Guzman Correa was the driver of the vehicle.

VIOLATION OF CONDITION #9: *The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.*

According to the report provided by officer Santiago, Mr. Guzman was accompanied by a woman named Marisol Ramos Pizarro, who was arrested on November 10,2004, for possession of ammunition and possession of a firearm without a licence. In September 2006, Puerto Rico Police Officer Roberto Santana Diaz, badge 23958, conducted surveillance in the Dr. Pila Housing Project and observed Ms. Ramos receiving firearms from different individuals and bringing them into apartment 61 block 15-5 where she resides.

Additionally, Mr. Guzman Correa resides with Angel Gabriel Rolon Roldan who is a convicted felon. On February 2, 2007, this officer called Ms. Rolon, the maternal grandmother to Mr. Guzman's children. She indicated that Angel Gabriel Rolon Roldan resides in her home Urb. Santa Teresita Calle 19 BE 32, which is now known as 5071 Santa Genoveba St. Ponce 00731. Mr. Rolon Roldan is convicted felon. Documents obtained from the Ponce District Court, reveal that Mr. Rolon was convicted for attempted robbery and possession of a firearm on December 9, 2002.

VIOLATION OF CONDITION # 11: *The defendant shall notify the probation officer within seventy-two(72) hours of being arrested or questioned by a law enforcement officer.*

Mr. Guzman Correa failed to inform that he was questioned by police on January 25, 2007, as indicated above. Mr. Guzman called the United States Probation Officer on February 1, 2007, at approximately 8:00 p.m. and never mentioned any problems. On February 2, 2007, Mr. Guzman reported to the United States Probation Office and failed to inform this petitioner about any police intervention

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct and unless the Court rules otherwise, it is respectfully requested that in view of the aforementioned violations the Court issue a warrant for Mr. Guzman Correa 's arrest and order the United States Marshal Service to produce Mr. Guzman Correa for revocation procedures. \

In San Juan, Puerto Rico, this 2nd day of February 2007.

Respectfully submitted,

EUSTAQUIO BABELONIA, CHIEF
U.S. PROBATION OFFICER

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CERTIFICATE OF SERVICE

HEREBY CERTIFY that on, October 31, 2006, I electronically filed the foregoing motion with the Clerk of the Court using the EM/ECF system which will send notification of such filing to the following: Humberto García, U.S. Attorney, and Joseph Laws of the United States Federal Public Defender's Office.

At San Juan, Puerto Rico this 2nd day of February 2007.

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VMC